

Article - Criminal Procedure

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§10–108.

(a) A person may not open or review an expunged record or disclose to another person any information from that record without a court order from:

- (1) the court that ordered the record expunged; or
- (2) the District Court that has venue in the case of a police record expunged under § 10-103 of this subtitle.

(b) A court may order the opening or review of an expunged record or the disclosure of information from that record:

- (1) after notice to the person whom the record concerns, a hearing, and the showing of good cause; or
- (2) on an ex parte order, as provided in subsection (c) of this section.

(c) (1) The court may pass an ex parte order allowing access to an expunged record, without notice to the person who is the subject of that record, on a verified petition filed by a State's Attorney alleging that:

- (i) the expunged record is needed by a law enforcement unit for a pending criminal investigation; and
- (ii) the investigation will be jeopardized or life or property will be endangered without immediate access to the expunged record.

(2) In an ex parte order, the court may not allow a copy of the expunged record to be made.

(d) (1) A person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both.

(2) In addition to the penalties provided in paragraph (1) of this subsection, an official or employee of the State or a political subdivision of the State who is convicted under this section may be removed or dismissed from public service.

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